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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

SHIGE TAKIGUCHI, et. al, Individually and
On Behalf of All Others Similarity Situated,

Plaintiffs,

v.

MRI INTERNATIONAL, INC., EDWIN J.
FUJINAGA, JUNZO SUZUKI, PAUL
MUSASHI SUZUKI, LVT, INC., dba
STERLING ESCROW, and DOES 1-500,

Defendants.

Case No.: 2:13-cv-01183-HDM-NJK

**STIPULATION AND ORDER RE
DIRECTING PAYMENT OF FUNDS
HELD IN TRUST BY LAW FIRMS
AND FINANCIAL INSTITUTIONS
PURSUANT TO FINAL APPROVAL
OF CLASS ACTION SETTLEMENT**

1 WHEREAS, plaintiffs Shige Takiguchi, et al. (“Plaintiffs”) and (1) Junzo Suzuki, (2)
2 Paul Suzuki, (3) Keiko Suzuki, (4) the Suzuki Enterprises, Inc. Profit Sharing Plan, (5) Catherine
3 Suzuki, trustee of the Junzo Suzuki Irrevocable Trust, (6) Catherine Suzuki, trustee of the Keiko
4 Suzuki Irrevocable Trust, (7) Catherine Suzuki, trustee of the Junzo Suzuki and Keiko Suzuki
5 Irrevocable Trust, (8) Suzuki Enterprises, Inc., (9) Puuikena Investments LLP, (10) Catherine
6 Mai Suzuki, trustee of the Catherine Suzuki Irrevocable Trust dated May 10, 2013, and (11) Paul
7 Musashi Suzuki, trustee of the Paul Musashi Suzuki Irrevocable Trust dated May 10, 2013
8 (collectively, the “Suzuki Defendants”) are collectively referred to herein as the “Parties”;

9 WHEREAS, on December 11, 2017 the Suzuki Defendants entered into a Settlement
10 Agreement with Plaintiffs by which they agreed to pay certain funds held at various financial
11 institutions or attorney trust accounts as consideration for resolution this action;

12 WHEREAS, on May 22, 2018 the Court granted final approval of the class action
13 settlement with the Suzuki Defendants (Dkt. 840);

14 WHEREAS, pursuant to the Settlement Agreement the following entities are required
15 to wire transfer the entire balances from the accounts designated below to the Court appointed
16 claims administrator, Heffler Claims Group to be held in a qualified settlement fund:

- 17 1. The entire balance held in trust by Damon Key Leong Kupchak Hastert for the benefit
18 of Junzo Suzuki, Keiko Suzuki, Paul Suzuki, Catherine Suzuki, Suzuki Enterprises,
19 Inc., or Puuikena Investments LLP;
- 20 2. The entire balance held in trust by McDonald Carano LLP for the benefit of Junzo
21 Suzuki, Keiko Suzuki, Paul Suzuki, Catherine Suzuki, Suzuki Enterprises, Inc., or
22 Puuikena Investments LLP;
- 23 3. The entire balance of account number xx-xx3072 at First Hawaiian Bank in the name
24 of Junzo and Keiko Suzuki;
- 25 4. The entire balance of account number xx-xx3746 at First Hawaiian Bank in the name
26 of Suzuki Enterprises, Inc.;

1 5. The entire balance of account number xxx-x1J26 at Merrill Edge Wealth
2 Management (Bank of America, N.A.) in the name of Junzo Suzuki Trustee U/A
3 DTD 08/19/20013;

4 6. The entire balance of account number xxx-x1J27 held at Merrill Edge Wealth
5 Management (Bank of America, N.A.) in the name of Keiko Suzuki Trustee U/A
6 DTD 08/19/20013;

7 7. The entire balance of account number xxxx-xxxx-3467 held at Bank of America,
8 N.A. in the name of Junzo Suzuki and Keiko Suzuki;

9 NOW, therefore, the Parties stipulate as follows:

10 1. Damon Key Leong Kupchak Hastert is ordered to wire transfer the entire balance it
11 holds in trust for the benefit of Junzo Suzuki, Keiko Suzuki, Paul Suzuki, Catherine
12 Suzuki, Suzuki Enterprises, Inc., or Puuikena Investments LLLP to the qualified
13 settlement account designated by Heffler Claims Group;

14 2. McDonald Carano LLP is ordered to wire transfer \$22,912.62 it holds in trust for the
15 benefit of Junzo Suzuki, Keiko Suzuki, Paul Suzuki, Catherine Suzuki, Suzuki
16 Enterprises, Inc., or Puuikena Investments LLLP to the qualified settlement account
17 designated by Heffler Claims Group. The remaining balance of \$20,294.20 that
18 McDonald Carano LLP holds in trust shall be retained by them for the payment of
19 outstanding legal expenses owed by the Suzuki Defendants. In order to make up for
20 the funds being retained by McDonald Carano LLP, \$20,294.20 shall be credited to
21 Plaintiffs from the excess funds from the irrevocable trust accounts in the name of
22 Junzo Suzuki and/or Keiko Suzuki, which are already in the custody of Heffler
23 Claims Group;

24 3. First Hawaii Bank is ordered to wire transfer the entire balance in account number xx-
25 xx3072 held in the name of Junzo and Keiko Suzuki to the qualified settlement
26 account designated by Heffler Claims Group;

- 1 4. First Hawaii Bank is ordered to wire transfer the entire balance in account number xx-
2 xx3746 at First Hawaiian Bank held in the name of Suzuki Enterprises, Inc. to the
3 qualified settlement account designated by Heffler Claims Group;
- 4 5. Merrill Edge Wealth Management (Bank of America, N.A.) is ordered to wire
5 transfer the entire balance in account number xxx-x1J26 held in the name of Junzo
6 Suzuki Trustee U/A DTD 08/19/20013 to the qualified settlement account designated
7 by Heffler Claims Group;
- 8 6. Merrill Edge Wealth Management (Bank of America, N.A.) is ordered to wire
9 transfer the entire balance in account number xxx-x1J27 in the name of Keiko Suzuki
10 Trustee U/A DTD 08/19/20013 to the qualified settlement account designated by
11 Heffler Claims Group; and
- 12 7. Bank of America, N.A. is ordered to wire transfer the entire balance in account
13 number xxxx-xxxx-3467 at Bank of America, N.A. held in the name of Junzo Suzuki
14 and Keiko Suzuki to the qualified settlement account designated by Heffler Claims
15 Group.

16 Dated: June 22, 2018

MANNING & KASS
ELLROD, RAMIREZ, TRESTER LLP

18 By: /s/ James Gibbons
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20 STEVEN J. RENICK
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21 LAW OFFICES OF ROBERT W. COHEN
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24 By: /s/ Robert W. Cohen
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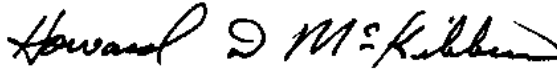
1 PAUL HASTINGS LLP

2
3 By: /s/ Nicolas Morgan
4 NICOLAS MORGAN
5 Attorneys for Defendant the Suzuki
6 Defendants

7 **ORDER**

8 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

9 DATED this 22nd day of June, 2018.

10 

11 United State District Court Judge